



9110-04-U

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG-2013-1038]

Notice of Statute of Limitations on Claims; Notice of Final Federal Agency Action on the Interstate 5 Bridge across the Columbia River

AGENCY: Coast Guard, DHS.

ACTION: Notice of limitation on claims for judicial review.

SUMMARY: This notice announces the Coast Guard's final action on the issuance of a Coast Guard bridge permit, adoption of the bridge related portions of the Federal Highway Administration (FHWA)/Federal Transit Administration (FTA) prepared Final Environmental Impact Statement (FEIS) and issuance of a Record of Decision (ROD) for the Interstate 5 bridge across the Columbia River between Vancouver, Washington and Portland, Oregon.

DATES: A claim seeking judicial review of the Coast Guard's action on the Columbia River Crossing project will be barred unless the claim is filed on or before [INSERT DATE 150 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Brian Dunn, Chief, Office of Bridge Programs, Commandant (CG-BRG), Attn: Office of Bridge Programs, US Coast Guard Stop 7418, 2703 Martin

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except Federal holidays, phone number (202) 372-1511 or
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SUPPLEMENTARY INFORMATION: This notice is issued under the
authority of the Freedom of Information Act, 5 U.S.C.
552(a).

Notice is hereby given that the Coast Guard, under its
General Bridge Act of 1946 permit authority, 33 U.S.C. 525-
533, has taken final agency action(s) subject to 23 U.S.C.
139(I)(1) by issuing a bridge permit. In addition, and in
accordance with the National Environmental Policy Act
(NEPA), the Coast Guard also adopted the bridge related
portions of the FHWA/FTA prepared FEIS and issued a ROD.
The project involves replacing the I-5 bridge across
navigable waters of the United States by replacing the
existing lift bridge with a fixed bridge. As a structure
over navigable waters of the United States, the proposed
bridge requires a Coast Guard bridge permit. The Coast Guard
issued a bridge permit on September 27, 2013 for the
proposed new fixed bridge. FHWA and FTA were lead federal
agencies under NEPA for this project. The Coast Guard was a
cooperating agency under NEPA and adopted the bridge related
portions of the FHWA/FTA FEIS and issued a ROD on September
27, 2013. The actions by the co-lead Federal agencies, and

the laws under which such actions were taken, are described in the FHWA/FTA FEIS published in the Federal Register on September 23, 2011, FR Doc. # 2011-24504, page 59125, and in the FHWA/FTA ROD issued on December 7, 2011. The FHWA/FTA Notice of Limitation on Claims was published in the Federal Register on January 5, 2012, FR Doc. # 2011-33784, pages 531-532, by the FHWA and FTA regarding environmental actions taken by those agencies.

This notice applies to the Coast Guard's decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. *General*: General Bridge Act of 1946 (33 U.S.C. 525-533); National Environmental Policy Act (42 U.S.C. 4321-4347); Federal-Aid Highway Act (23 U.S.C. 109); the Federal transit statutes (49 U.S.C. Chapter 53).

2. *Air*: Clean Air Act, as amended (42 U.S.C. 7401-7671(q)).

3. *Land*: Section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C. 303); Landscaping and Scenic Enhancement (Wildflowers) (23 U.S.C. 319).

4. *Wildlife*: Endangered Species Act (16 U.S.C. 1531-1544); Anadromous Fish Conservation Act (16 U.S.C. 757(a)-757(f)); Fish and Wildlife Coordination Act (16 U.S.C. 661-667(e)); Magnuson-Stevenson Fishery Conservation and

Management Act of 1976, as amended (16 U.S.C. 1801 *et seq.*); Migratory Bird Treaty Act (16 U.S.C. 703-712).

5. *Historic and Cultural Resources*: Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470f); Archaeological Resources Protection Act of 1977 (16 U.S.C. 470aa-470mm); Archaeological and Historic Preservation Act (16 U.S.C. 469-469c-2); Native American Grave Protection and Repatriation Act (25 U.S.C. 3001-3013).

6. *Social and Economic*: Civil Rights Act of 1964 (42 U.S.C. 2000(d)-2000(d)(1)); American Indian Religious Freedom Act (42 U.S.C. 1996); Farmland Protection Policy Act (7 U.S.C. 4201-4209); the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 61).

7. *Wetlands and Water Resources*: sections 319, 401, and 404 of the Clean Water Act, 33 U.S.C. 1251-1377; Coastal Zone Management Act (16 U.S.C. 1451-1465); Land and Water Conservation Fund (16 U.S.C. 4601-4-4601-11); Safe Drinking Water Act (42 U.S.C. 300f *et seq.*); Rivers and Harbors Act of 1899 (33 U.S.C. 401-406); TEA-21 Wetlands Mitigation (23 U.S.C. 103(b)(6)(m), 133(b)(11)); Flood Disaster Protection Act (42 U.S.C. 4001-4129).

8. *Executive Orders*: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority

Populations and Low Income Populations; E.O. 11593
Protection and Enhancement of Cultural Resources; E.O. 13007
Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175
Consultation and Coordination with Indian Tribal
Governments; E.O. 11514 Protection and Enhancement of
Environmental Quality; E.O. 13112 Invasive Species. (Catalog
of Federal Domestic Assistance Program Number 20.205,
Highway Planning and Construction. The regulations
implementing Executive Order 12372 regarding
intergovernmental consultation on Federal programs and
activities apply to this program.) Nothing in this notice
creates a cause of action under these executive orders.

Dated: December 17, 2013

Brian L. Dunn
Chief, Office of Bridge Programs
U. S. Coast Guard

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